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6 DOCTORS MANAGEMENT COMPANY LONG
TERM DISABILITY PLAN

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 LOVEY MARTIN,

12 Plaintiff,

13 vs.

14 DOCTORS MANAGEMENT COMPANY
15 LONG TERM DISABILITY PLAN,

16 Defendant.

Case No. CV 07-5952 CW

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

17 WHEREAS, Plaintiff served Defendant with Notice of the Lawsuit, Complaint, and
18 Request for Waiver of Service of Summons on December 13, 2007. Defendant acknowledged
19 receipt of the Complaint and waived service of the Summons on January 14, 2008;

20 WHEREAS, Defendant answered the Complaint on February 11, 2008;

21 WHEREAS, Defendant is a fully-insured, ERISA-governed long term disability plan
22 insured by the Prudential Insurance Company of America;

23 WHEREAS, Defendant recently tendered the defense of the case to Prudential;

24 WHEREAS, Prudential has accepted tender of the defense and has retained Morgan,
25 Lewis & Bockius LLP to represent Defendant in this case;

26 WHEREAS, Morgan, Lewis & Bockius LLP and Defendant's previous counsel, Lewis,
27 Brisbois, Bisgaard & Smith LLP, will be filing a substitution of counsel in this case shortly;

28 WHEREAS, The Case Management Conference is currently set in this case for Tuesday,

1 April 8, 2008 at 2:00 p.m.;

2 WHEREAS, Defendant's new counsel needs additional time to review the file so that he
3 and Plaintiff's counsel can jointly prepare a meaningful Case Management Statement and
4 complete initial disclosures before the Case Management Conference;

5 WHEREAS, counsel for Plaintiff and Defendant are both available on Tuesday, April 22,
6 2008 at 2:00 p.m.;

7 WHEREAS, the Court continued the Case Management Conference in this case once
8 because the last day for the Parties to meet and confer regarding early disclosures, early
9 settlement, ADR process selection and formulation of a discovery plan pursuant to Federal Rule
10 of Civil Procedure was a date *before* the last day for Defendant to respond to the Complaint; and

11 WHEREAS, the granting of this stipulated request will not delay the resolution of this
12 case or require the altering of any other Court-imposed deadlines.

13 NOW THEREFORE, FOR GOOD CAUSE SHOWN, THE PARTIES HEREBY
14 STIPULATE and AGREE that:

15 (a) the Case Management Conference scheduled for Tuesday, April 8, 2008 shall be
16 continued by two weeks to Tuesday, April 22, 2008 at 2:00 p.m.; and

17 (b) the Parties will file the Case Management Statement at least 7 days before the April
18 22, 2008 Case Management Conference.

19 Dated: April 1, 2008

LAW OFFICES RICHARD JOHNSTON

20 By /s/ Richard Johnston (authorized on
04/01/2008)

21 Richard Johnston
Attorney for Plaintiff

22 Dated: April 1, 2008

MORGAN, LEWIS & BOCKIUS LLP

23 By /s/ Donald P. Sullivan

24 Donald P. Sullivan
Attorneys for Defendant

25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26 Dated: _____

27 _____
The Honorable Claudia Wilken
United States District Judge